


LEGISLATURE OF THE VIRGIN ISLANDS

**CERTIFICATE OF ENACTMENT
NOTWITHSTANDING THE GOVERNOR'S VETO**

THIS IS TO CERTIFY THAT Section 11 of Act No. 7369 (Bill No. 29-0334), An Act to reprogram funds to provide additional funds to the Department of Education for school bus transportation services; to provide the Department of Health with the necessary funds to contract for a mental health consultant; to amend Act No. 7352 (Bill No. 29-0160) for clarity; to amend title 29, chapter 22, section 1201(h) of the Virgin Islands Code as it relates to renewable sources of electricity and TIF benefits; to amend Act No. 7343 to make it effective at the beginning of the 2013-2014 school year; to amend Act No. 7315 in Section 2 as it relates to the Bovoni Weed and Seed Program; to authorize the Commissioner of the Department of Property and Procurement to enter into 'Service Rendered Contracts' on behalf of the Office of the Adjutant General (OTAG) with William Nisbett and Caribbean Cooling Company, Inc., for services rendered; to amend Act No. 7307, section 18, subsection (c) to permit the Legislature to purchase equipment for media services on St. Croix; to amend title 17 Virgin Islands Code, chapter 7, section 61 to adjust the school year beginning no later than the 2013-2014 school year; to amend Act No. 7081 is amended in Section 2(d)(1) to reprogram funding for capital projects and for other purposes, enacted by the Twenty-Ninth Legislature at its regular session held on May 31, 2012, (a copy of which is attached hereto) and vetoed by the Governor on June 19, 2012, was duly enacted, by override, by the Twenty-Ninth Legislature at its regular session on June 27,


2012, pursuant to section 9(d) of the Revised Organic Act of the Virgin Islands, 48 U.S.C. §1575
(d), notwithstanding the Governor's veto and has become law.

DATED: July 6, 2012



Ronald E. Russell
President



ATTEST:


Samuel Sanes
Legislative Secretary

ACT NO. 7369

OVERRIDDEN

DATE: 06/27/2012

Section 11

BILL NO. 29-0334

TWENTY-NINTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2012

An Act to reprogram funds to provide additional funds to the Department of Education for school bus transportation services; to provide the Department of Health with the necessary funds to contract for a mental health consultant; to amend Act No. 7352 (Bill No. 29-0160) for clarity; to amend title 29, chapter 22, section 1201(h) of the Virgin Islands Code as it relates to renewable sources of electricity and TIF benefits; to amend Act No. 7343 to make it effective at the beginning of the 2013-2014 school year; to amend Act No. 7315 in Section 2 as it relates to the Bovoni Weed and Seed Program; to authorize the Commissioner of the Department of Property and Procurement to enter into 'Service Rendered Contracts' on behalf of the Office of the Adjutant General (OTAG) with William Nisbett and Caribbean Cooling Company, Inc., for services rendered; to amend Act No. 7307, section 18, subsection (c) to permit the Legislature to purchase equipment for media services on St. Croix; to amend title 17 Virgin Islands Code, chapter 7, section 61 to adjust the school year beginning no later than the 2013-2014 school year; to amend Act No. 7081 is amended in Section 2(d)(1) to reprogram funding for capital projects and for other purposes

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Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Act No. 7315, section 2 stated as "M1180 DOE-Longitudinal Data System Phase I \$2,000,000" is deleted in its entirety.

SECTION 2. Act No. 7315, section 1(s) stated as "9500 Other Services and Charges" is amended by striking the figure \$12,056,942" and inserting the figure "\$14,056,942".

SECTION 3. Act No. 7315, section 1(i), "25600 Capital Outlay" is reduced by striking the figure "\$155,000" and inserting the figure of "\$105,000;".

SECTION 4. Act No. 7315, section 2 is amended by adding a new appropriately numbered "C/CNTR" entitled "DOH-to hire a Mental Consultant required by the Consent Decree" in the amount of "\$50,000".

SECTION 5. Act No. 7352 (Bill No. 29-0160) is amended in section 1, internal section 41e, subsection (b) by striking paragraphs (D) (G) and (L) and in paragraph (S) by striking the word “effect” and inserting the word “affect” and re-lettering the remaining paragraphs.

SECTION 6. Title 29, chapter 22, section 1201(h) of the Virgin Islands Code is amended by adding a new paragraph (10) to read:

“(10) Costs of construction, maintenance and repair, upgrade, and operation of any improvement that generates electricity from any renewable sources including without limitation the following:

- A. wind;
- B. closed-loop biomass;
- C. open-loop biomass;
- D. geothermal energy;
- E. solar energy;
- F. municipal solid waste;
- G. hydropower; and
- H. marine and hydrokinetic renewable energy.

Provided however, that electricity from renewable sources shall only be used within the TIF area or sold directly to the United States Virgin Island Water and Power Authority. Sale to any other party other than the United States Virgin Island Water and Power Authority outside of the TIF area is prohibited.”

SECTION 7. Act No. 7343 is amended by adding a new section to read:

“**SECTION 4.** This Act shall be effective at the beginning of the 2013-2014 school year.”

SECTION 8. Act No. 7315 is amended in Section 2 on page 11 in line item “M8074 VIPD – Bovoni Weed and Seed Program” by striking “M8074” and replacing it with “M1151”

SECTION 9. Notwithstanding any other law to the contrary, the Commissioner of the Department of Property and Procurement is hereby authorized to enter into ‘Service Rendered Contracts’ on behalf of the Office of the Adjutant General (OTAG) with the following vendors, using funds from the existing OTAG Fiscal Year 2012 budget for the purposes and amounts identified herein:

(a) William Nisbett in the amount of \$42,641 for renovation work completed in Fiscal Year 2011 at the OTAG’s Gramboko Building Post Exchange (PX) in St. Thomas, Virgin Islands consisting of cleaning and painting of interior and exterior walls and floors, dropping ceiling to cover pipes, repairing of toilets, repairing damaged ceiling tiles, waxing and sealing the floor, painting and varnishing doors, changing damaged windows, and power washing the building; to include the requisite labor, materials and supplies; and

(b) Caribbean Cooling Company, Inc., in the amount of \$21,460 for installing a five-ton split air conditioning unit, inclusive of switches, transformers, electrical wires, ducts and grills, fuses, and other work rendered in Fiscal Year 2006 at the OTAG’s Sprat Hall Site on St. Croix, Virgin Islands.”

SECTION 10. Act No. 7307, section 18, subsection (c) is amended after the words “St. Croix” by adding the words “and equipment for media services of the Legislature.”

~~**SECTION 11.** Title 17 Virgin Islands Code, chapter 7, section 61 is amended by striking the language therein in its entirety and inserting the following in its stead:~~

~~“§ 61. Period of school year~~

~~The school year shall begin no later than the second Tuesday after the second Monday in August and end no later than the first Friday in June, provided that:~~

- ~~(a) the school calendar includes no less than 1080 hours of pupil instruction; and~~
- ~~(b) the first semester shall end no later than December 23.~~

~~The Department of Education, pursuant to Title 24 Virgin Islands Code, chapter 14, shall set the school calendar. This is to be implemented no later than the 2013-2014 school year.”~~

SECTION 12. Act No. 7081 is amended in Section 2(d)(1) in the following instances:

1. By striking the language in paragraph (D) in its entirety and inserting a new paragraph (D) to read as follows:

“(D) Estate Anna’s Hope \$358,870”

To reflect the savings realized from the transfer of funds from paragraph (D) and paragraph (L);

2. In paragraph (A) by striking the sum “\$328,328” and inserting “\$628,328” in lieu thereof to reflect the savings realized as a result of item 3 below;
3. ~~In paragraph (D) by striking the sum “\$579,788” and inserting “\$279,788” in lieu thereof to reflect a transfer of funds to item 2 above;~~

4. In paragraph (H) by striking "\$1,384,526" and inserting "\$784,526" in lieu thereof to reflect a transfer of funds to item 7 below;
5. In paragraph (J) by striking "\$191,062" and inserting "\$391,062" in lieu thereof to reflect the \$200,000 savings realized as a result of a transfer of funds from paragraph (L); and after the words "Mon Bijou" by inserting "to facilitate the purchase and installation of a pedestrian bridge"
6. By deleting paragraph (L) in its entirety and relettering the remaining paragraphs accordingly;

In paragraph (S) by striking "\$2,500,000" and inserting "\$3,100,000" in lieu thereof to reflect the savings realized as a result of item 4 above.

Thus passed by the Legislature of the Virgin Islands on May 31, 2012.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 6th
Day of June, A.D., 2012.



A handwritten signature in blue ink, reading "Ronald E. Russell".

Ronald E. Russell
President

A handwritten signature in blue ink, reading "Samuel Sanes".

Samuel Sanes
Legislative Secretary



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802
340-774-0001

THE GOVERNOR'S OBJECTIONS

Bill No. 29-0334 is hereby approved with the exception of the following items, part or parts, portion or portions thereof, which are hereby objected to (and deleted and disapproved in full) pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954 as amended:

SECTION 11. Title 17 Virgin Islands Code, chapter 7, section 61 is amended by striking the language therein in its entirety and inserting the following in its stead:

“§61. Period of school year

The school year shall begin no later than the second Tuesday after the second Monday in August and end no later than the first Friday in June, provided that:

- (a) the school calendar includes no less than 1080 hours of pupil instruction; and
- (b) the first semester shall end no later than December 23.

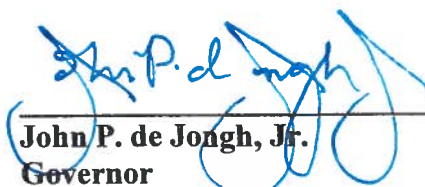
The Department of Education, pursuant to Title 24 Virgin Islands Code, chapter 14, shall set the school calendar. This is to be implemented no later than the 2013-2014 school year”.

SECTION 12.

- 3. In paragraph (D) by striking the sum “\$579,788” and inserting “279,788” in lieu thereof to reflect a transfer of funds to item 2 above;

Witness my hand and the seal of the Government of the United States Virgin Islands, at Charlotte Amalie, St. Thomas, Virgin Islands, this 19th day of June, A.D., 2012.





John P. de Jongh, Jr.
Governor